

Below is an Order of the Court.

  
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PETER C. MCKITTRICK  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF OREGON

In Re:

PETER SZANTO,

Debtor.

Bankruptcy Case  
No. 16-33185-pcm11

PETER SZANTO,

Plaintiff,

v.

Adv. Proc. No. 16-3114-pcm

ORDER DENYING DEFENDANTS' MOTION  
TO RESET TRIAL DATE (DOC. 271)

EVYE SZANTO, VICTOR SZANTO, NICOLE  
SZANTO, KIMBERLEY SZANTO, MARIETTE  
SZANTO, ANTHONY SZANTO, AUSTIN  
BELL, JOHN BARLOW, and BARBARA  
SZANTO ALEXANDER,

Defendants.

Defendants' filed a Motion to Reset Trial Date (Doc. 271) (the "Motion"). Defendants' Motion failed to comply with paragraph 5 of the Second Amended Scheduling Order (Doc. 259) entered in the above-captioned case requiring that any motion be "accompanied by a separate affidavit or declaration, supporting factual contentions such as claims of illness or unavoidable travel. An affidavit or declaration shall

1 authenticate and include exhibits or documents supporting the factual  
2 contentions to the extent such documents or exhibits exist." Further,  
3 the parties were instructed to advise the court by 5 p.m. on September  
4 12, 2017 if the December trial date presented scheduling conflicts. See  
5 Doc. 257. Defendants did not file the Motion until September 25, 2017.

6 The court having reviewed the record in the above-captioned case  
7 and for the above-stated reasons and in the interest of justice and good  
8 cause appearing therefor,

9 IT IS HEREBY ORDERED that defendants' Motion to Reset Trial date is  
10 denied without prejudice to refile the Motion with the required  
11 supporting documentation and explaining why defendants delayed 13 days  
12 past the deadline set by the Court to file the Motion.

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14 Cc: Mr. Szanto  
15 Mr. Henderson  
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